

**CITY OF TAYLORSVILLE
CITY COMMISSION
REGULAR MEETING**

August 7, 2012

The City of Taylorsville City Commission held a Regular meeting on Tuesday, August 7, 2012 at 5:00 p.m., at the City Hall Annex.

Present were:

Don Pay, Mayor
Beverly Ingram, Commissioner
Kathy Spears, Commissioner
Larry Waldrige, Commissioner

Staff present:

John Dale, Jr. City Attorney
Steve Biven, City Clerk
Harold Compton, Public Works Director
Carolyn Shields, Bookkeeper

Randy McConnell, Comptroller
Toby Lewis, Police Chief
Lisa Ware, Co-Treasurer

Item #1

Mayor Pay called the meeting to order at 5 p.m. with a moment of meditation followed by a recital of the Pledge of Allegiance led by Chief Toby Lewis. Mayor Pay mentioned at this time that Commissioner Nation was not present.

Item #2 – *Consent Calendar*

Motion made by Commissioner Spears and seconded by Commissioner Waldrige to approve the Consent Calendar for July, 2012. Motion carried 4-0.

At this time, Mayor Pay presented a proclamation to Ayu Hosomi from Japan. She had been spending the summer with John, Kim and Lily Hanik as part of a 4-H program. Ms. Hosomi presented Mayor Pay with a letter from the Mayor of her hometown in Itami, Japan. Mayor Pay also presented her with a proclamation to give to Mayor Yasuyuki Fujiwara.

Item #3 – *Committee Reports*

a) *Engineering Projects* (Sisler – Maggard Engineering PLLC)

i) Highway 44 Sewer Line Update - Mr. Sisler stated this project was complete and all the testing had been done. Mr. Sisler stated that customers could start hooking up to the new line. The contract of \$208,000 was completed at \$2,000 under budget. There is approximately \$35,000 left over. Mr. Sisler stated that there had been discussion about using the left over funds for odor control at the Highview Pump Station. The Commission will discuss how they would like to spend the left over funds.

ii) Early Wyne – The roads in the subdivision were recently paved. Mr. Sisler said there are a few issues that still need to be corrected. Mark Clinton was present to represent Early Wyne. Mr. Clinton is asking the City to take over the roads now that the paving is complete. Mayor Pay asks Mr. Clinton about the warranty on the streets. Mr. Clinton stated that Mago, the paving company, gave them a one (1) year warranty for material and labor workmanship. He is asking the City to release the building permit moratorium. Mayor Pay made a recommendation that the commission release the Moratorium contingent upon the maintenance of that warranty by the developers. He said that formal written declaration was needed offering the streets and that would need to be adopted by municipal order accepting those streets subject to the one year warranty. Mr. Dale stated the City has the obligation of taking over the streets and that if there is a problem down the road the City could always put the Moratorium back on if something happens in that first year and it does not get repaired. **Motion was made by Commissioner Spears and seconded by Commissioner Waldrige to lift the Moratorium subject to the final completion as certified by Sisler-Maggard and passage of the municipal order.** Motion carried with a vote of 4-0.

iii) Highview – Clerk Biven stated he had received a call from Steve Bowman of Peoples Bank in regards to the roads in the development. Mr. Sisler has looked at some of the areas he thought might need to be addressed by their contractor, Mac Construction. Highview has a letter of credit of \$159,000. Clerk Biven stated that the City would need to develop a MOU with Highview. Mr. Dale is going to draw up a MOU with Steve Bowman. **Motion was made by Commissioner Spears and seconded by Commissioner Ingram to have Mr. Dale draw up an MOU with The Peoples Bank taking over ownership of the streets in the Highview Development.** Motion passed with a vote of 4-0.

iv) Main Street Update – Mr. Sisler stated that the work on Main Street will begin tomorrow, August 8th. They will be tearing out 200 foot of sidewalk at a time and will start on the south side at the intersection. The contractor said it would take 7 to 10 working days on each side. He believes the project may be completed by September 14th. Mr. Deapen has spoken with all the businesses. They all have a side or rear entrance except for Creekside Florist. Mr. Deapen is going to talk to Creekside Florist.

b) Main Street (Gordon Deapen)

Mr. Deapen stated that the Main Street committee has been trying to keep Main Street businesses updated on the construction. He also stated that there was two treasurer's report and a set of minutes in the commissioner's packets.

Item #4 Public Comment

a) Mark Ball – Bulk sales for Water from Fire Hydrant – Mr. Ball hauls water for a living. He would like to have a meter to hook up to a fire hydrant to fill his truck up with. Mr. Ball would then have the meter read once a month and pay a bill. Mayor asks Mr. Ball where he normally filled his truck. Mr. Ball stated he fills up at McZee's, Bloomfield or Jefferson County. He also stated that it would help with the price he charges his customers. Mayor Pay told Mr. Ball that the commission would look into it.

b) Lawrence Trageser- Dissolution of the City – Mr. Trageser stated that he had spoken with Shannon Brock, the editor of the Spencer Magnet, and Commissioner Nation concerning the dissolution of the City of Taylorsville from KRS 81.094. He expressed to both of these parties that he did have reservations about the fact that the City could be dissolved. Mr. Trageser also stated the he had collected the required number of signatures. At this point the petition to dissolve the City is being held until such time in the future he is going to proceed and turn it in. He reminded those commissioners seeking reelection, that they all know how he operates.

Item #5 – *Old Business*

a) Other

There was no other old business at this time.

Item #6 – *New Business*

a) Contract Renewal – Advance Global Communications

Sharon Dancy was present to represent AGC. She stated that the new contract was in the commissioner's packets. There were not any changes to cost, just some minor changes in the breakdown of their billing. **Motion was made by Commissioner Spears and seconded by Commissioner Ingram to renew the contract with Advance Global Communications for another year. Motion carried with a vote of 4-0.**

b) Department Reports

Financial Report

Mr. McConnell provided the commission with the Year End Financial Statements and Comments as well as a cash analysis report, deposit collateral report and the overtime report. He also stated that the city is fully collateralized at all three banks. Overtime is under budget for both Water & Sewer and General Fund.

Mr. McConnell informed the commission that in reviewing revenue in the General Fund account, Property Taxes year to date are \$118 net of discounts, Insurance Premiums was \$39,488 year to date and Occupational License Tax was \$57,570 year to date. He also stated that the Business License Revenue received in July was \$13,000 and the Unloading License Receipts received in July was \$6,625. On the expense side, Street Repair and Maintenance – is \$610.00 Total budget for FY2012 is \$37,851.

Water Revenue is \$53,518 over budget year to date, Sewer Revenue is \$3,338 under budget year to date, Meter Sets is \$1,300 under budget for year to date and Sewer Impact Fees are \$3,000 under budget year to date.

The Annual Audit is scheduled for the week of August 13th. Mr. McConnell also reminded the commissioners to mail their financial disclosure forms to the Auditor if they have not done so already.

Clerk Biven stated that he and Mr. McConnell would be working on setting the tax rates for the property taxes. He stated that the commission needed to set a date for a meeting to discuss the

property taxes. The meeting will be Wednesday, August 15, 2012 at 5:00 pm., with the first reading possibly being at the September meeting.

Utility

Water – Mr. Compton handed out a list of projects that the City is working on outside of the everyday things like meter sets, main breaks and service leaks. He also handed out a water loss report.

Sewer - Mr. Compton stated that he had received a draft copy of the new sewer permit. He said there were a few changes.

Public Safety

Police - A monthly schedule was in the commissioner's packets.

Chief Lewis stated that the First Assembly of God church has requested to close off Garrard Street on August 11, 2012 from 9:00 am to 2:00 noon. **Motion was made by Commissioner Ingram and seconded by Commissioner Spears to allow First Assembly of God church to close Garrard Street from 9:00am to 12:00 noon. Motion carried with a vote of 4-0.**

Update on the Class D Felon Program - Chief Lewis stated that all the training has been completed by Officers Mills, Bledsoe and Wills for the Class D Felony program. They will be used on the weekends. Chief Lewis and Mr. Compton are to get a list together of work the commission would like to see done. Chief Lewis stated the City needs to let the detention center know by Friday of the weekend the City would use them.

Chief Lewis stated that the cost of having the crosswalks painted was in the commissioner's packets. Clerk Biven and Chief Lewis both stated that the stripping for Jefferson Street should be held off until the drainage issue is taken care of. **Motion was made by Commissioner Spears and seconded by Commissioner Waldrige to approve the work to be done on the crosswalks. Motion carried by a vote of 4-0.**

Chief Lewis stated that Commissioner Nation had provided a handout on the radios system. He also stated that the Sheriff's Office wants to go with a Nexedge System. Chief Lewis stated that there needed to be more testing done on the system. There is a 911 Meeting tomorrow, August 8, 2012, Chief Lewis said he is sure there will be some discussion about this issue at the meeting.

Chief Lewis commended the officers on the drug arrest they made on Hardin Court. Officer Wills and Officer Walls were involved in that arrest. He also commended Lt. Jewell and Officer Bledsoe for taken care of things while he was gone on vacation.

Officer Wills is at fire arms training this week. Chief Lewis stated that Officer Wills has completed his first day of training with a score of 98 out of a possible 100.

Chief Lewis stated that the officers made an arrest at 113 Maple Avenue over the weekend. Officer Walls and Lt. Jewell were involved in this arrest.

The Click-it or Ticket reimbursement has been received.

There will be a DUI campaign August 31 thru September 3, 2012. This is an overtime reimbursement program through the federal government.

Fire – Chief Nation was not in attendance to give a fire report.

1) Fire Hydrants in newly annexed areas. Clerk Biven thought that issue had been resolved. He stated that there are two hydrants in the city's possession that will be used.

2) Unsafe Structures. Clerk Biven handed out a letter from Jan Kehne regarding a meeting she has had with Mr. Monroe concerning the property on Garrard Street and the rezoning issue.

General Government

a) Memorial to Deceased Employees – Carolyn Shields was present to discuss the Dedication Service for Tommy Monroe and Tony Shelburne, employees that passed away while working for the City of Taylorsville. The City has already purchased the Memorial stones. The stones will be placed on each side of the flag pole in front of City Hall. The plans are to have a memorial service and a reception for the families of these employees as soon as the weather cools down. She asked the commission how to proceed. Mrs. Shields is to contact the families to determine a proper date.

b) Website & Office Equipment – Lisa Ware was present to discuss the website and office equipment. Mrs. Ware stated that she and Alfreda Currie have been working on the website. She asked if there were any changes that the commission would like to see on the site.

Mrs. Ware stated that there are surplus computers in the Police Department and at the sewer plant that need to be destroyed. Clerk Biven has spoken with Advance Global Communications, and they said we could drill holes in the hard drives and do away with the computers. Mrs. Ware will be overseeing this project. Once we get the surplus computers destroyed then we will need to destroy some old records at the sewer plant. Mrs. Ware stated that she had been in contact with someone at the State and has a Record Retention Guide. Mrs. Ware recommended possibly renting a big shredder. Mrs. Ware will also be overseeing this project due to the fact that any records that are destroyed **must** be reported to the State.

Mrs. Ware has also been looking into replacing the cassette recorder with a CD recorder. She has been in contact with 3 companies about converting the recorder. She has also spoken with some surrounding Cities and Counties about how they record their meetings. If the City opted to go to the CD recorder, they would be able to easily copy the CDs in order to comply with an open records request. Mayor Pay suggested that we look into also replacing the microphones also.

The Commission took a recess at this time.

c) City Cleanup Day Dumpster - Commissioner Ingram stated that the First Assembly of God Church is having a City cleanup day on Saturday, August 11, 2012. She suggested that the City provide a dumpster for them. The cost of the dumpster would be \$ 370 for three (3) days. The dumpster would be placed behind the Chamber building. **Motion was made by Commissioner**

Ingram and seconded by Commissioner Waldrige to pay the cost of the dumpster for this cleanup project. Motion carried with a vote of 4-0.

d) Code Enforcement – Commissioner Ingram stated that the city needs someone to enforce the city codes and ordinances. She also said that the City could not call that person a Code Enforcement Officer because the City does not have a Code Enforcement Board. Mr. Dale stated that there is a seminar coming up on August 29th that would be helpful for Commissioner Ingram to attend. Mr. Dale went on to say there are three different statues for Code Enforcement. Two statues deal with enforcing the codes and the third one which the City operators under is for nuisance and unsafe structures. He recommended setting up a citation procedure. Mr. Dale stated that the seminar would help Commissioner Ingram understand the differences between the ordinances, by which you could use a Citation Officer or establishing a code Enforcement Board. **Motion was made by Mayor Pay to table this issue until a later date.** Commissioner Ingram stated that she would like for Officer Bledsoe to attend that seminar with her since he has been researching the issue of code enforcement. **Mayor Pay withdrew his motion to table this issue until a later date and made a second motion that was seconded by Commissioner Spears to allow Commissioner Ingram and Officer Kenny Bledsoe attend the seminar on August 29th in Cave City, Kentucky.** Motion carried with a vote of 4-0.

e) Development Plan – Commissioner Ingram stated that she had been given a draft of the development plan and that she gave a copy to Mr. Compton, Chief Lewis, Fire Chief Nation, Chad Whitaker, a landscape architect and Mr. Dennis Eisenback, a developer. If they see anything that needs to be changed they are suppose to let Commissioner Ingram know.

f) Historic District Commission and Review Process – Commissioner Ingram has a copy of the City of Shelbyville's Historic District Plan. Shelbyville has a historic district commission. Mr. Dale suggested that Commissioner Ingram or someone speak with their commission. Mayor Pay is going to set up a meeting with Shelbyville's mayor.

g) Planting & Tree Maintenance – Commissioner Ingram said she has been contacted by Walter Grubb, a master gardener. Mr. Grubb is interested in helping the City maintain all the tress and planter boxes on Main Street and taking care of the landscaping around City Hall and the annex building. Mr. Grubb's cost for doing this twice a year is \$2500. Commissioner Spears asks Mr. Gordon Deapen who was maintaining all the tress and planter boxes on Main Street. Scott Williams has been watering the tress and the planter boxes three times a week. **Motion was made by Commissioner Waldrige and seconded by Commissioner Spears to hire Mr. Grubbs to help maintain the tress and planter boxes on Main Street and the landscaping at City Hall and the annex.** Motion carried with a vote of 4-0.

Other New Business

i) Creating a Water & Sewer Advisory Board – There were no comments at this time about creating a Water & Sewer Advisory Board.

ii) Insight Communications - Clerk Biven stated that Insight has been changed to Time Warner. Instead of a written letter to Insight as requested by the commission, Mr. Biven has been

in contact with a gentlemen at Time Warner concerning the weather message alert system. He contacted Mr. Biven to say that the Federal government will not alter their guidelines to allow for local stations to continue broadcasting weather reports and radar observations during emergency notifications.

Clerk Biven stated that they have draft agreement for the Shelby County Emergency Services to be permitted to place an antenna on the water tower.

Clerk Biven asks Mr. Compton to give an update on the cemetery. Mr. Compton stated that the wall has been completed. There still needs to be some dress up work before this project is fully completed.

Item #7 – Legal

a) Update on Annexation of Restaurant Property – Mr. Dale stated that the City needs to annex a small portion of the roadway. A survey will need to be completed.

Item #8 - Elected Officials' Comments (Mayor and City Commissioners)

There were no commissioner's comments at this time.

ADJOURN TO EXECUTIVE SESSION

Item #9 – Motion was made by Commissioner Spears and seconded by Commissioner Waldrige to Adjourn to Executive Session under provisions of KRS 61.810 (1) (b) Deliberations on the future acquisition or sale of real property by a public agency (c) Discussions of proposed or pending litigation against or on behalf of the public agency (f) Discussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employee. Motion carried 4-0.

RETURN TO OPEN SESSION

Item #10 – Motion was made by Commissioner Spears and seconded by Commissioner Waldrige to return to open session. Motion carried 4-0.

Item #11 – Motion was made by Commissioner Spears and seconded by Commissioner Waldrige to allow Rick McClain to return to work temporarily to perform service orders until such time that his doctor releases him with or without restrictions. Mayor Pay, Commissioner Waldrige and Commissioner Spears voted in favor. Commissioner Ingram opposed. Motion carried 3-1.

Item #12 – Motion was made by Commissioner Spears and seconded by Commissioner Waldrige to increase the pay of Cliff Brown and Billy Anderson by the rate of \$.25 per hour, due their recent certification concerning the wastewater collection system. Motion carried with a vote of 4-0.

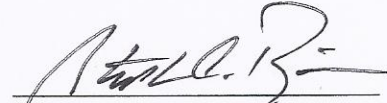
Item # 13 – Motion was made by Commissioner Spears and seconded by Commissioner Waldrige to write a letter to an employee regarding a written reprimand from the city commissioner for his conduct toward a customer. Motion carried with a vote of 4-0.

ADJOURN MEETING

Item # 14 - Motion was made by Commissioner Spears and seconded by Commissioner Waldrige to adjourn. Motion carried 4-0.

A large, stylized handwritten signature in black ink, appearing to read 'Don Pay', written over a horizontal line.

Don Pay, Mayor

A handwritten signature in black ink, appearing to read 'Stephen A. Biven', written over a horizontal line.

Stephen A. Biven, City Clerk